

#### **IC 35-44.1-4**

### **Chapter 4. Firefighting and Emergency Services**

#### **IC 35-44.1-4-1**

##### **"Dispatched firefighter"**

Sec. 1. As used in this chapter, "dispatched firefighter" means a member of:

- (1) the fire company having jurisdiction over an emergency incident area; or
- (2) a fire company that has entered into a mutual aid agreement with the fire company having jurisdiction over an emergency incident area;

who has been dispatched by the local fire department having jurisdiction over the particular emergency incident area.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-2**

##### **"Emergency incident area"**

Sec. 2. As used in this chapter, "emergency incident area" means the area surrounding a structure, vehicle, property, or area that is:

- (1) defined by police or firefighters with flags, barricades, barrier tape, or other markers; or
- (2) one hundred and fifty (150) feet in all directions from the perimeter of the emergency incident;

whichever is greater.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-3**

##### **"Firefighter"**

Sec. 3. As used in this chapter, "firefighter" has the meaning set forth in IC 9-18-34-1.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-4**

##### **"Fire protective clothing and fire protective gear"**

Sec. 4. As used in this chapter, "fire protective clothing and fire protective gear" includes any of the following items generally used by firefighters:

- (1) Outer fire retardant clothing and headgear.
- (2) Fire gloves.
- (3) Self contained breathing apparatus.
- (4) Emergency medical services protective gear.
- (5) Hazardous materials protective gear.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-5**

##### **Refusal to leave an emergency incident area**

Sec. 5. A person who is not a firefighter who knowingly or intentionally refuses to leave an emergency incident area immediately after being requested to do so by a firefighter or law

enforcement officer commits a Class A misdemeanor.  
*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-6**

##### **Refusal to leave an emergency incident area by a nondispatched firefighter**

Sec. 6. A firefighter who:

- (1) has not been dispatched to an emergency incident area;
- (2) enters an emergency incident area; and
- (3) refuses to leave an emergency incident area immediately after being requested to do so by a dispatched firefighter or law enforcement officer;

commits a Class C infraction.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-7 Version a**

##### **Impersonating a firefighter at an emergency incident area**

*Note: This version of section effective until 7-1-2014. See also following version of this section, effective 7-1-2014.*

Sec. 7. A person other than a firefighter who, with intent to mislead a firefighter or law enforcement officer as to the person's status as a dispatched firefighter, knowingly or intentionally enters an emergency incident area while wearing, transporting, or otherwise possessing a uniform, fire protective clothing, or fire protective gear commits a Class A misdemeanor. However, the offense is a Class D felony if, as a proximate result of the person entering the emergency incident area, a person or firefighter suffers bodily injury.

*As added by P.L.126-2012, SEC.54.*

#### **IC 35-44.1-4-7 Version b**

##### **Impersonating a firefighter at an emergency incident area**

*Note: This version of section effective 7-1-2014. See also preceding version of this section, effective until 7-1-2014.*

Sec. 7. A person other than a firefighter who, with intent to mislead a firefighter or law enforcement officer as to the person's status as a dispatched firefighter, knowingly or intentionally enters an emergency incident area while wearing, transporting, or otherwise possessing a uniform, fire protective clothing, or fire protective gear commits a Class A misdemeanor. However, the offense is a Level 6 felony if, as a proximate result of the person entering the emergency incident area, a person or firefighter suffers bodily injury.

*As added by P.L.126-2012, SEC.54. Amended by P.L.158-2013, SEC.517.*

#### **IC 35-44.1-4-8**

##### **Obstructing a firefighter**

Sec. 8. A person who knowingly or intentionally obstructs or interferes with a firefighter performing or attempting to perform the firefighter's emergency functions or duties as a firefighter commits obstructing a firefighter, a Class A misdemeanor.

*As added by P.L.126-2012, SEC.54.*

**IC 35-44.1-4-9**

**Obstructing an emergency medical person**

Sec. 9. (a) As used in this section, "emergency medical person" means a person who holds a certificate issued by the Indiana emergency medical services commission to provide emergency medical services.

(b) A person who knowingly or intentionally obstructs or interferes with an emergency medical person performing or attempting to perform the emergency medical person's emergency functions or duties commits obstructing an emergency medical person, a Class B misdemeanor.

*As added by P.L.126-2012, SEC.54. Amended by P.L.13-2013, SEC.141.*